

**LEGAL NOTICE  
NOTICE OF HEARING  
ZONING BOARD OF APPEALS  
TOWN OF LANCASTER**

NOTICE IS HEREBY GIVEN of a Meeting of the Zoning Board of Appeals of the Town of Lancaster to be held Thursday, August 11, 2016 at 7:00 P.M., Local Time, in the Town Board Chambers, in the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York. The items for consideration by the Zoning Board of Appeals at this meeting are:

The petition of David/Susan Chaves, 3670 Bowen Road, Lancaster, New York 14086 for one [1] variance for the purpose of constructing a 1344 square foot pole barn on premises owned by the petitioners at 3670 Bowen Rd., Lancaster New York, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 9D.(4) of the Code of the Town of Lancaster. The area of the proposed accessory structure is 1344 square feet.

Chapter 50, Zoning, Section 9D.(4) of the Code of the Town of Lancaster limits the area of an accessory structure to 750 square feet. The petitioners, therefore, request a 594 square foot accessory use area variance.

The petition of Wilcox Brothers Sign Company, 317 Wheeler Street, Tonawanda, New York 14150 for one [1] variance for the purpose of erecting one [1] ground sign on premises owned by Rane Property Management at 1325 Millersport Highway, Suite 209, Williamsville, New York 14221, at 5354 Genesee Street, Lancaster, NY to wit:

A variance from the requirements of Chapter 50, Zoning Section 30F.(2)(c)[2][a] of the Code of the Town of Lancaster to permit a sign height of seven [7'] feet six [6"] inches.

Chapter 50, Zoning, Section 30F.(2)(c)[2][a] of the Code of the Town of Lancaster limits the height of a ground sign to four [4'] feet above finished grade. The petitioner, therefore, requests a three [3'] foot six [6"] inch ground sign height variance.

The petition of Sandra Empl, 149 Wendell Street, Depew, New York 14043 for one [1] variance for the purpose of erecting a twelve [12'] by twelve [12'] foot sunroom to be built twenty five [25'] feet from the rear lot line from the existing private residence on property owned by the petitioner at 149 Wendell Street, Depew, New York, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 10C.(3) of the Code of the Town of Lancaster. The proposed addition would result in a twenty five [25'] foot rear yard setback.

Chapter 50, Zoning, Section 10C.(3)(c) of the Code of the Town of Lancaster requires a thirty five foot [35'] rear yard set back. The petitioner, therefore, requests a ten [10'] foot rear yard set back variance.

The petition of Kenneth Berg/Thi Tran, 76 Sterling Place, Lancaster, New York 14086 for one [1] variance for the purpose of erecting a four [4'] foot six [6"] inch high fence in a required front yard area on premises owned by the petitioners at 76 Sterling Place, Lancaster, New York 14086, to wit:

A variance from the requirements of Chapter 50 Zoning, Section 35C. of the Code of the Town of Lancaster for the purpose of erecting a four [4'] foot six [6"] high fence in a required front yard.

Chapter 50, Zoning, Section 35C. of the Code of the Town of Lancaster limits the height of a fence or wall extending into a front yard area to three [3'] feet in height. The petitioners, therefore, requests a one [1'] foot, six inch [6"] fence height variance.

The petition of Gerard/ Ella Dunne, 13 Magrum Lane, Lancaster, New York 14086, for one [1] variance for the purpose of constructing a triangular shed positioned on premises owned by Gerard/Ella Dunne at 13 Magrum Lane, Lancaster, New York; to wit:

A variance from the requirements of Chapter 50, Zoning, Section 11C.(4)(a) of the Code of the Town of Lancaster. The shed, as positioned, results in a front yard set back of thirty [30'] feet.

Chapter 50, Zoning, Section 11C.(4)(a) of the Code of the Town of Lancaster requires a thirty five [35'] foot front yard set back. The petitioners, therefore, request a five [5'] foot front yard set back variance.

The petition of A. Betsy Richards, 36 Nichter Road, Lancaster, New York 14086 for one [1] variance for the purpose of erecting masonry walls that are four [4'] feet six [6"] inches high in a required front yard area on premises owned by the petitioner at 36 Nichter Road, Lancaster, New York, to wit:

A variance from the requirements of Chapter 50 Zoning, Section 35C. of the Code of the Town of Lancaster for the purpose of erecting a four [4'] foot, six [6"] inch high masonry wall in a required front yard.

Chapter 50, Zoning, Section 35C. of the Code of the Town of Lancaster limits the height of a fence or wall extending into a front yard area to three [3'] feet in height. The petitioner, therefore, requests a one [1'] foot, six [6"] inch variance for the purpose of constructing masonry walls.

The petition of 48 Freeman Properties LLC c/o Barclay Damon LLP, 48 Freeman Road, Lancaster, New York for five [5] variances for the purpose of constructing a [4] story hotel and parking lot, on property owned by Hanania Family Partnership L.P. at 48 Freeman Road, Lancaster, New York, to wit:

- A. A variance from the requirements of Chapter 50, Zoning, Section 19C.(5) of the Code of the Town of Lancaster. The height of the proposed hotel is fifty seven [57'] feet, four [4"] inches.

Chapter 50, Zoning, Section 19C.(5) of the Code of the Town of Lancaster limits the building height to thirty-five [35'] feet. The petitioner, therefore, requests a twenty-two [22'] foot, four [4"] inch height variance.

- B. A variance from the requirements of Chapter 50, Zoning, Section 19C (3) of the Code of the Town of Lancaster to allow for a five [5'] foot required front yard parking lot setback on the south property line.

Chapter 50, Zoning, Section 19C.(3) of the Code of the Town of Lancaster requires a twenty five [25'] foot required front yard setback, from a right-of-way of a dedicated street. The petitioner, therefore, requests a twenty [20'] foot front yard parking lot setback on the south property line.

- C. A variance from the requirements of Chapter 50, Zoning Section 19C (3) of the Code of the Town of Lancaster to allow for a five point nine [5.9] foot side yard parking lot setback on the north property line.

Chapter 50, Zoning, Section 19C.(3) of the Code of the town of Lancaster requires a ten [10'] foot side yard setback, abutting a nonresidential area. The petitioner, therefore, requests a four point one [4.1'] foot side yard parking lot setback on the north property line.

- D. A variance from the requirements of Chapter 50, Zoning, Section 19C (3) of the Code of the Town of Lancaster to allow for zero [0] foot side yard parking lot setback on the east property line.

Chapter 50, Zoning, Section 19 C.(3) of the Code of the Town of Lancaster requires a ten [10'] foot side yard setback, abutting a nonresidential area. The petitioner, therefore, requests a ten [10'] foot side yard parking lot setback on the east property line.

- E. A variance from the requirements of Chapter 50, Zoning Section 19C.(3) of the Code of the Town of Lancaster to allow for a ten point seventy four [10.74'] foot parking lot setback on the west property line.

Chapter 50, Zoning, Section 19C (3) of the Code of the Town of Lancaster requires a twenty five [25'] foot parking lot setback from a right-of-way of a dedicated street. The petitioner, therefore, requests a fourteen point twenty six [14.26'] foot parking lot setback on the west property line.

The petition of 5828 Broadway LLC, 1120 Bullis Road, Elma, New York 14075, represented by Sean Hopkins, Esq., 5500 Main Street, Suite 343, Williamsville, NY 14221 for one [1] variance for the purpose of creating a parking area, on premises owned by the petitioner at 5828 Broadway, Lancaster, New York, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 14 (G) of the Code of the Town of Lancaster. The petitioner requests a parking area on the west property line with zero [0'] setback.

Chapter 50, Zoning, Section 14 (G) of the Code of the Town of Lancaster requires a ten [10'] foot property line setback. The petitioner, therefore, requests a ten [10'] foot west property line variance.

The petition of 5828 Broadway, LLC, 1120 Bullis Road, Elma, New York 14075, represented by Sean Hopkins, Esq., Hopkins Sorgi & Romanowski PLLC, 5500 Main Street, Suite 343 Williamsville, NY 14221 for four [4] variances for the purpose of erecting four 26 unit multifamily buildings, located at 0 Broadway, Lancaster, NY 14086 on premises owned by the petitioner at 0 Broadway, Lancaster, New York, to wit:

- A. A variance from the requirements of Chapter 50, Zoning, Section 13 and Subsection C (2)(e) of the Code of the Town of Lancaster. The height of the proposed buildings is 49 feet, 4 1/8 inches.

Chapter 50, Zoning, Section 13 and Subsection C (2)(e) of the Code of the Town of Lancaster requires a maximum building height of thirty five feet [35']. The petitioner, therefore, requests a 14 foot, 4 1/8 inch height variance.

- B. A variance from the requirements of Chapter 50, Zoning, Section 14 E (2) of the Code of the Town of Lancaster. The proposed building setback on the eastern property line is 29.66 feet.

Chapter 50, Zoning, Section 14, and Subsection E (2) of the Code of the Town Of Lancaster requires a 60.45 foot building setback. The petitioner, therefore, request a 30.79 foot eastern property line building setback variance.

- C. A variance from the requirements of the Chapter 50, Zoning, Section 14, Subsection G of the Code of the Town of Lancaster. The proposed parking setback from the east property line is zero feet.

Chapter 50, Zoning, Section 14, Subsection G of the Code of the Town of Lancaster requires a minimum parking setback of ten [10'] feet. The petitioner, therefore, requests a ten [10'] foot east property line parking setback variance.

- D. A variance from the requirements of the Chapter 50, Section 14, and Subsection E (2) of the Code of the Town of Lancaster. The proposed building setback from the west property line is 46 feet.

Chapter 50, Zoning, Section 14 Subsection G of the Code of the Town of Lancaster requires a minimum building setback of 60.45 feet. The petitioner, therefore, requests a 14.45 foot western property line setback variance.

The petition of Russell Caldwell, 51 Main Street, Bowmansville, NY 14026 for one [1] variance for the purpose of constructing a garage addition to the dwelling on premises owned by the petitioner at 51 Main Street, Bowmansville, NY 14026, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 10C.(3)(a) of the Code of the Town of Lancaster. The proposed garage addition would result in a twenty five [25'] foot front yard set back.

Chapter 50, Zoning, Section 10C.(3)(a) of the Code of the Town of Lancaster requires a thirty five [35'] foot front yard set back. The petitioner, therefore, requests a ten [10'] foot front yard set back variance.

The petition of Christopher Reilly, 2 Magrum Lane, Lancaster, New York 14086 for two [2] variances for the purpose of installing a shed in a required front yard on premises owned by the petitioner at 2 Magrum Lane, Lancaster, New York, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 10C.(3)(a) of the Code of the Town of Lancaster. The proposed shed would be placed fifteen [15'] feet from the front property line within a required front yard.

Chapter 50, Zoning, Section 10C.(3)(a) of the Code of the Town of Lancaster requires a thirty five [35'] foot front yard set back. The petitioner, therefore, requests a twenty [20'] foot front yard set back variance.

A variance from the requirements of Chapter 50, Zoning, Section 17A.(3) of the Code of the Town of Lancaster. The premises upon which this variance is sought is a corner lot fronting on Magrum Lane with an exterior side yard [considered a front yard equivalent] fronting on Juniper Boulevard. The location of the proposed shed will result in a fifteen [15'] foot east exterior side yard set back on Juniper Boulevard.

Chapter 50, Zoning, Section 17A (2) and (3) of the Code of the Town of Lancaster requires a thirty five [35'] foot exterior side yard set back on Juniper Boulevard. The petitioner, therefore, requests a twenty [20'] foot east exterior side yard set back variance.

Signed\_\_\_\_\_

DIANE M. TERRANOVA, TOWN CLERK  
and Clerk to Zoning Board of Appeals